

If ownership improperly stated in lien proceedings, amendments may be made. *Wilhelm v. Roe*, 158 Md. 624.

Where a claim as filed, states that A is contractor and B owner, it may be amended after time within which it might be filed, so as to show that A and C are both builders and equitable owners. What amendments will be allowed. *Real Estate Co. v. Phillips*, 90 Md. 524. See also *Lucas v. Taylor*, 105 Md. 109.

The right to amend extends beyond the time when judgment or decree has been entered. *Rust v. Chisolm*, 57 Md. 383; *Real Estate Co. v. Phillips*, 90 Md. 527.

The failure of plaintiff who has been granted leave in an equity proceeding to amend, to file an amended claim, is not a bar to the enforcement of the amended claim against parties to equity case; *contra*, perhaps, as to *bona fide* purchasers for value without notice of amendment. *Lucas v. Taylor*, 105 Md. 110.

The notice prescribed by sec. 11, cannot be amended under this section, after expiration of the sixty days within which it must be filed. *Kenly v. Sisters of Charity*, 63 Md. 311.

After expiration of time within which lien might be filed, a claimant cannot amend same, so as to change location of property. Limitations upon the right of amendment. *Gault v. Wittman*, 34 Md. 35; *Real Estate Co. v. Phillips*, 90 Md. 525.

The operation of this section, limited. *Kenly v. Sisters of Charity*, 63 Md. 308; *Plummer v. Eckenrode*, 50 Md. 232; *New England, etc., Co. v. B. & O. R. R. Co.*, 11 Md. 91. *Cf. Hess v. Poultney*, 10 Md. 267.

This section applied, and other sections referred to as indicating the same principle of construction. *Blake v. Pitcher*, 46 Md. 464. And see *Lucas v. Taylor*, 105 Md. 111; *Real Estate Co. v. Phillips*, 90 Md. 526; *Hermann v. Mertens*, 87 Md. 727; *Rust v. Chisolm*, 57 Md. 382.

The lien claim cannot be amended in the court of appeals. *Baker v. Winter*, 15 Md. 10.

This section does not dispense with the forms of pleading. *Kees v. Kerney*, 5 Md. 422.

Cited but not construed in *Wehr v. Shryock*, 55 Md. 338.

See notes to secs. 1 and 11.

An. Code, 1924, sec. 42. 1912, sec. 42. 1904, sec. 42. 1888, sec. 42. 1838, ch. 205, sec. 26.

33. Nothing contained in this article shall be construed to affect the right of any person to whom any debt may be due for work done or materials furnished to maintain any personal action against the owner of the building or any other person liable therefor.

This section followed. *McLaughlin v. Reinhart*, 54 Md. 80; *Sodini v. Winter*, 32 Md. 134.

Boats and Vessels.

An. Code, 1924, sec. 43. 1912, sec. 43. 1904, sec. 43. 1888, sec. 44. 1856, ch. 294, sec. 1. 1865, ch. 190.

34. All boats or vessels of any kind whatsoever used or intended to be used on the waters of the Chesapeake bay and its tributaries, the Chesapeake and Ohio canal, and other waters of this State, as carriers of freight or passengers, and all other boats or vessels belonging in this State shall be subject to a lien and bound for the payment thereof as preferred debts for all debts due to boat builders, mechanics, merchants, farmers or other persons, from the owners, masters or captains, or other agents of such boats or vessels for materials furnished or work done in the building, repairing or equipping the same.

Consumable supplies, such as gasoline or groceries, are not within the lien given by this and the following section. *The Princess*, 185 Fed. 218.

This section referred to in construing sec. 47—see notes thereto. *The D. B. Steelman*, 48 Fed. 583; *The Marcelia Ann*, 34 Fed. 143.

Cited but not construed in *Lucas v. Taylor*, 105 Md. 103.

See secs. 1 and 22 and notes.

An. Code, 1924, sec. 44. 1912, sec. 44. 1904, sec. 44. 1888, sec. 45. 1856, ch. 294, sec. 1. 1865, ch. 190. 1900, ch. 28. 1939, ch. 754, sec. 44.

35. No person shall be entitled to a lien under the preceding section unless he shall, within six months from the commencement of the building,